

Town of Swanzev, New Hampshire
Board of Selectmen
Meeting – February 12, 2013
Swanzev Town Hall, 620 Old Homestead Highway, Swanzev, NH

CALL TO ORDER

Present were Selectmen Deborah J. Davis, Nancy L. Carlson, and Kenneth P. Colby, Jr. The meeting was called to order by Chair Deborah Davis at 6:13 p.m. at Swanzev Town Hall. Also present were Town Administrator Shane O’Keefe, Town Planner Sara Carbonneau and Assessing Coordinator Amy Bush.

OTHERS PRESENT

Chuck Beauregard. Others attending later in the meeting were Police Chief Tom De Angelis and Fire Chief Norm Skantze.

MINUTES

- Regular meetings of January 29, 2013 and January 30, 2013 – **Motion** by Colby to approve the minutes of January 29, 2013 and January 30, 2013, seconded by Carlson, with all in favor. **Motion passed.**
- Non-public meetings(s) of January 29, 2013 – **motion** to approve the minutes by Colby, seconded by Carlson, all were in favor. **Motion passed.**
- Non-public meetings(s) of January 30, 2013 – **motion** to approve the minutes by Colby, seconded by Davis, all were in favor. **Motion passed.**

OTHER MATTERS

Discuss Town Report

Amy Bush provided the Board with proofs of the proposed front and back covers of the 2012 Annual Report for review and comment. She stated that the proposed theme is Swanzev Arts and Artists. Board members discussed the works of various local artists and were fine with the cover as presented. Regarding to whom the Town Report should be dedicated, Board members stated that they’d discuss this further and make a decision later in the meeting.

Bush left the meeting at 6:18 p.m.

Beauregard suggested that the Town Report could be dedicated to his father, who has served the Town in various forms over the years, including the Fire Department, the Planning Board and the Zoning Board of Adjustment. Carbonneau suggested that multiple people with long-time service to the Town could be honored, and suggested June Fuerderer and Deb Crowder.

OLD BUSINESS

Acquisition of property per RSA 41:14-a. 53 Main Street (Map 57, Lot 50)

It was noted in meeting materials provided to the Board that on December 18, 2012 the Board voted to enter into a purchase and sale agreement with the West Swanzev Athletic Association for the purchase of the property for \$53,500, and that the P & S Agreement is specifically contingent on the following inspections, “with results being satisfactory to the buyer (Town): general building, lead paint, hazardous waste, and asbestos”. Other provisions are as follows: “1) All taxes to be abated by the Town of Swanzev until sold or back on the market Feb. 28, 2013. 2) Town to have Two (2) Public hearings to get positive feedback to purchase the property by Feb. 15, 2013 and other input on purchasing property –

for demolition, Asbestos, etc.” Also, there is an addendum stating that “(t)is Agreement and Buyer’s obligation to purchase, is expressly contingent upon Buyer obtaining all necessary approvals and authorization, including approvals under RSA 41:14-a”. On December 27, 2012, the Board voted to authorize spending of up to \$3,000 for site investigations.

On January 7, 2013 the Board met with the Conservation Commission and the Open Space Committee to discuss this matter. At the end of that meeting both bodies voted to support the proposed acquisition and intended use as a riverfront open space. Then on January 10, 2013 the Planning Board voted "to affirm the purchase of 53 Main St. property for the purposes of conservation. Public hearings were held on January 15th and 29th and there was general approval from those in attendance for the Town to move forward with the acquisition.

Carbonneau spoke to site evaluations and demolition estimates, noting that rough demolition costs varied from \$35,000 to \$40,000, and asbestos abatement ranges from \$3,200 to \$5,000. Lead levels in the building siding were found to be very high and removal and separate disposal is very likely, adding to the demolition costs. A ball-park estimate of \$5,000 for this was discussed but there was no verification of this amount. It was concluded by the Board that the demolition should be put out to bid as an all-inclusive demolition and removal in order to minimize Town risk.

Colby **moved** to 1) proceed with the purchase of the 53 Main Street property from the West Swanzey Athletic Association, 2) pursue contracts for the demolition of the building, to be an all-inclusive contract, 3) authorize the Chairperson to execute any and all documents necessary to carry out the acquisition of the property on behalf of the Town, 4) authorize the Town Administrator to execute any and all documents and contracts necessary to prepare the site after the acquisition, and 5) to authorize expenditure of up to \$73,500 from the Conservation Land Acquisition Capital Reserve Fund for the acquisition and site preparation, with the balance to come from the Recreation Facilities Improvements Capital Reserve Funds, seconded by Carlson, all were in favor. **Motion passed.**

There was a discussion on involving local citizens in the design of the proposed riverfront park. Closing of the acquisition was tentatively set for the morning of February 25, 2013 at the offices of Bradley & Faulkner, and Davis and Beaugard will coordinate on scheduling this. Beaugard left the meeting at 6:40 p.m.

NEW BUSINESS.

Timber harvest of Mt. Cresson

O’Keefe mentioned that Mike Morrison of the Conservation Commission would be unable to attend the meeting and will come before the Board at the next meeting to discuss a possible timber harvest of Mount Cresson.

Home Occupation – Robert Lotito, 60 Oliver Hill RD (Map 21, Lot 80)

Carbonneau presented information about the proposed Home Occupation, noting that the Zoning Board of Adjustment had the night before granted a variance to allow for a Home Occupation in a separate building greater than 300 square feet. It would be an office use within a 762 square-foot shed overhang proposed to be framed in, with no plumbing and limited to no more than three employees. Colby **moved** to qualify the proposed use as a Home Occupation and to authorize the Chairperson to sign the necessary application on behalf of the Board, seconded by Carlson, all were in favor. **Motion passed.**

Police Chief Tom DeAngelis and Fire Chief Norm Skantze arrived at 6:43 p.m. Carbonneau left the meeting at 6:45 p.m.

Forfeiture Documentation

DeAngelis presented and briefly explained to the Board the annual Equitable Sharing Agreement and Certification related to criminal asset forfeiture with the Federal Department of Justice and Treasury. Colby **moved** to authorize the Chairperson to sign the document on behalf of the Board, seconded by Carlson, all were in favor. **Motion passed.**

Town Employee ID cards

DeAngelis spoke to his interest in providing identification cards to all Town employees and to Board and Commission members who may want them, citing several instances when his staff needed professional IDs for business purposes. Skantze mentioned that firefighters each needed three ID's due to department safety protocols. It was mentioned that other departments were also interested and had tentatively agreed to share the cost of the equipment and supplies for the effort. DeAngelis provided the Board with specifications of the recommended equipment, which would cost approximately \$2,000. Colby **moved** to move forward with the purchase of equipment and supplies for ID cards, and for the Police Chief to coordinate an equitable allocation of departmental contributions to the effort, seconded by Carlson, all were in favor. **Motion passed.**

Vermont Yankee Drill

DeAngelis and Skantze discussed with the Board the Vermont Yankee preparedness drill scheduled for the following day. Each Board member will be available to attend in shifts.

DeAngelis left the meeting at 7:08 p.m.

Bridge Damage

Skantze briefly discussed with the Board some recent vandalism to the Thompson Bridge.

Non-public session #1 per RSA 91-A:3II(b), Hiring

Motion by Carlson to enter **Non-public session pursuant to RSA 91-A:3II(b) Hiring of Personnel**, seconded by Colby. The Selectmen voted unanimously by roll call to go into non-public session at 7:10 p.m. **Motion passed.** Present were the Board members, Town Administrator O'Keefe and Fire Chief Norm Skantze. **Motion** by Carlson to seal the minutes of the non-public session. Second by Colby. The Selectmen voted unanimously by roll call to seal the minutes of the non-public session. **Motion passed.** **Motion** by Colby to leave non-public session and return to public session. Second by Carlson. All in favor. **Motion passed.** Non-public session ended at 7:19 p.m.

Fire Department Training

Skantze brought up with the Board his intention to put 10 Firefighters through EMT training at approximately \$850 per person, and two firefighters through Firefighter I training at about \$650 per person. There was discussion as to whether firefighters ought to pay the cost of the related testing. The Board was in agreement with Skantze's interest in the mentioned departmental training but stated that he must stay within the \$10,000 budget.

Donations. Skantze shared with the Board that the East Swanzey Fire & Rescue Company proposes to donate two rescue suits valued at \$750, and a set of track kits for the all-terrain vehicle, valued at \$4,995. The Board was very appreciative of these gifts and asked O'Keefe to write a letter of thanks on behalf of the Town.

Skantze also shared with the Board a letter of thanks to the Fire Department from a resident who recently had an emergency situation.

Non-public session #2 per RSA 91-A:3II(a), Personnel Matters.

Motion by Carlson to enter **Non-public session pursuant to RSA 91-A:3II(a) Personnel matters**, seconded by Colby. The Selectmen voted unanimously by roll call to go into non-public session at 7:30 p.m. **Motion passed.** Present were the Board members, Town Administrator O’Keefe and Fire Chief Norm Skantze. **Motion** by Carlson to seal the minutes of the non-public session. Second by Colby. The Selectmen voted unanimously by roll call to seal the minutes of the non-public session. **Motion passed.** **Motion** by Colby to leave non-public session and return to public session. Second by Carlson. All in favor. **Motion passed.** Non-public session ended at 7:37 p.m.

The Board briefly discussed a hydrant that had not been plowed out.

Skantze left the meeting at 7:40 p.m.

Discuss payment arrangement – Reginald & Lorelee Hopkins, 1 Fords RD (Map 73, Lot 3) & 5 North Winchester ST (Map 57, Lot 48)

The Board discussed the request to make periodic payments of \$700 per month for delinquent taxes for two properties. After reviewing the amounts owned it was the consensus of the Board to decline to accept the payment arrangement and ask O’Keefe to convey this to the property owner in a letter.

Accept and expend unanticipated funds per RSA 31:95-b.

The Board briefly discussed donations made to the Town, including one that had been on the Board agenda back in July of 2012 that was never formally acted upon. **Motion** by Carlson to accept and expend a donation of \$500 from William & Winifred Silk for the benefit for the Carpenter Home, and to accept and expend, retroactively to 2012, donations of \$120, comprised of \$50 from William & Colleen Lauer, \$50 from Jeanne & Mark Pride & \$25 from Wesley Harris & Virginia Campbell, all for the benefit of Old Home Days, seconded by Colby, all were in favor. **Motion passed.**

Motion by Colby to accept the donation of two rescue suits valued at \$750, and a set of track kits for the all-terrain vehicle, valued at \$4,995 from the East Swanzey Fire & Rescue Company, seconded by Carlson, all were in favor. **Motion passed.**

OTHER MATTERS

Recap of February 5, 2013 Deliberative Session.

The Board briefly discussed the recent Town Meeting Deliberative Session. It was mentioned that it was unfortunate that so few people had been in attendance.

Discuss Town Report

The Board discussed dedication of the 2012 Town Report. It was the consensus of the Board to dedicate the Town Report to Charlie Beauregard, Deb Crowder and June Fuerderer due to their many years of service to the community. It was also the consensus of the Board to ensure that the Selectman’s report include thanks to former Town employees Beth Fox, Dave Krisch and Victoria Barlow for their service.

O'Keefe mentioned that the Town Meeting Voter Guide would be sent to the printer later this week and asked that one of the Board members be authorized to review the draft on behalf of the Board. It was agreed that O'Keefe would work with Colby on this.

OLD BUSINESS

Non-public session #3 per RSA 91-A:3II(a), Personnel Matters.

Motion by Carlson to enter **Non-public session pursuant to RSA 91-A:3II(a) Personnel matters**, seconded by Colby. The Selectmen voted unanimously by roll call to go into non-public session at 8:09 p.m. **Motion passed.** Present were the Board members and Town Administrator O'Keefe. **Motion** by Carlson to seal the minutes of the non-public session. Second by Colby. The Selectmen voted unanimously by roll call to seal the minutes of the non-public session. **Motion passed.** **Motion** by Carlson to leave non-public session and return to public session. Second by Colby. All in favor. **Motion passed.** Non-public session ended at 8:14 p.m.

OTHER MATTERS

Non-public session #4 per RSA 91-A:3II(a), Personnel Matters.

O'Keefe asked the Board to discuss another personnel matter in non-public session. **Motion** by Carlson to enter **Non-public session pursuant to RSA 91-A:3II(a) Personnel matters**, seconded by Colby. The Selectmen voted unanimously by roll call to go into non-public session at 8:15 p.m. **Motion passed.** Present were the Board members and Town Administrator O'Keefe. O'Keefe left the meeting at 8:21 p.m. and returned at 8:40 p.m. **Motion** by Carlson to leave non-public session and return to public session. Second by Colby. All in favor. **Motion passed.** Non-public session ended at 8:45 p.m. **Motion** by Carlson to seal the minutes of the non-public session. Second by Colby. The Selectmen voted unanimously by roll call to seal the minutes of the non-public session. **Motion passed.**

CONSENT AGENDA

The Board approved the agenda and signed the following:

- Lane Use change tax forms – Robert & MaryAnn Lindberg (Map 62, Lot 10-1).
- Requisition of payment from Trustees of Trust Funds -- \$1,770.21 from the Revaluations and Updates Expendable Trust for 2012 receivable.
- Personnel Action Report.

ADJOURNMENT

Next Meeting

The next Meeting is scheduled for February 19, 2013. It was decided by consensus that there would be no Board meeting on February 26, 2013. The next meeting after that is scheduled for March 5, 2013.

Motion to adjourn by Carlson, seconded by Colby and all were in favor. **Motion passed.** The meeting adjourned at 8:53 p.m.

Respectfully Submitted,

Shane O'Keefe, Town Administrator
Approved on February 19, 2013

Town of Swanzey, New Hampshire
Board of Selectmen
Meeting – February 12, 2013
Swanzey Town Hall, 620 Old Homestead Highway, Swanzey, NH

Minutes of Non-public session #4 per RSA 91-A:3II(a), Personnel Matters.

Motion by Carlson to enter **Non-public session pursuant to RSA 91-A:3II(a) Personnel matters**, seconded by Colby. The Selectmen voted unanimously by roll call to go into non-public session at 8:15 p.m. **Motion passed.** Present were the Board members and Town Administrator O’Keefe.

O’Keefe distributed to the Board a memorandum he had prepared that described his efforts as Town Administrator since his hiring, and also contained excerpts from both the Memorandum of Understanding of his hiring and the Town Personnel Policy. He asked the Board to consider removing his probationary status. The Board reviewed the memorandum and discussed this with O’Keefe.

O’Keefe left the meeting at 8:21 p.m.

Board members discussed O’Keefe’s job performance and decided to remove his probationary status.

O’Keefe was asked to rejoin the meeting at 8:40 p.m.

The Board informed O’Keefe that they had decided to remove his probationary status, effective February 17, 2013, but that it was still the Board’s directive that he continues to work on improving relations at Town Hall. O’Keefe agreed with this. The Board executed a Personnel Action Report reflecting its decision.

Motion by Carlson to leave non-public session and return to public session. Second by Colby. All in favor. **Motion passed.** Non-public session ended at 8:45 p.m. **Motion** by Carlson to seal the minutes of the non-public session. Second by Colby. The Selectmen voted unanimously by roll call to seal the minutes of the non-public session. **Motion passed.**

Respectfully Submitted,

Shane O’Keefe, Town Administrator

Approved by the Board of Selectmen on February 19, 2013.

These Minutes unsealed by the Board of Selectmen on February 18, 2014.

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| NOTE: RSA 91-a:3(III) Minutes of proceedings in nonpublic session shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. Minutes and decisions reached in nonpublic session shall be publicly disclosed within 72 hours of the meeting, unless, by recorded vote of 2/3 of the members present, it is determined that the divulgence of the information likely would affect adversely the reputation of any person other than a member of the Board, or render the proposed action ineffective. In the event of such circumstances, information may be withheld until, in the opinion of a majority of the members, the aforesaid circumstances no longer apply. |
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